



PATENT  
Docket No. 110.01420101

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): ZHAN et al. ) Group Art Unit: 2877  
                              )  
Serial No.: 09/691,006      ) Examiner: Hoa Q. Pham  
Confirmation No.: 4510        )  
                              )  
Filed: October 18, 2000     )  
                              )  
For: IMAGING ELLIPSOMETRY

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COMMUNICATION TO  
WITHDRAW APPLICATION FROM ABANDONMENT

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

A Notice of Abandonment was mailed on February 18, 2004, for failure to timely file a proper reply to the Office letter mailed on 7 July 2003.

Applicants submit that a reply to the Office Action was timely filed on November 7, 2003. Enclosed please find a copy of the following documents which were filed with the U.S. Patent and Trademark Office on November 7, 2003:

- Amendment and Response;
- Petition for Extension of Time, including copy of canceled check number 18532 in the amount of \$55.00 in payment of one-month extension of time;
- Supplemental Information Disclosure Statement, and 1449 Form, including copy of canceled check number 18531 in the amount of \$180.00 in payment of Supplemental Information Disclosure Statement;
- PTO date-stamped postcard indicating date of receipt by the O.I.P.E.



Communication to Withdraw Application from Abandonment  
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Page 2 of 2

Applicants respectfully request the Notice of Abandonment be withdrawn.

CERTIFICATE UNDER 37 C.F.R. 1.10:

The undersigned hereby certifies that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR §1.10 on the date indicated below and is addressed to the Assistant Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Sue Dombroske  
By: Sue Dombroske

Express Mail mailing label number:  
EV 405459001 US  
Date of Deposit: March , 2004

9 March 2004

Date

MJG/skd

Respectfully submitted for

ZHAN et al.  
By  
Muetting, Raasch & Gebhardt, P.A.  
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By: Mark J. Gebhardt  
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A handwritten signature in black ink, appearing to read "Mark J. Gebhardt".



Initials 3-10-04

2877

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): ZHAN et al. Group Art Unit: 2877  
Serial No.: 09/691,006 Examiner: Hoa Q. Pham  
Filed: October 18, 2000 Docket No.: 110.01420101  
Title: IMAGING ELLIPSOMETRY Confirmation No.: 4510

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

We are transmitting the following documents along with this Transmittal Sheet (which is submitted in triplicate):

- Small entity status is entitled to be asserted in the above-identified application.**
- An itemized return postcard.
- An Information Disclosure Statement (\_ pgs), 1449 forms (\_ pgs); and copies of \_ documents cited on the 1449 forms.
- A check in the amount of \$ \_, representing \_.
- A certified copy of a \_ application, Serial No. \_, filed \_, the right of priority of which is claimed under 35 U.S.C. §119.
- Other: Communication to Withdraw Application from Abandonment (2 pgs); copies of: Amendment and Response (18 pgs); Petition for Extension of Time (1 pg); canceled check no. 18532 (1 pg); Supplemental Information Disclosure Statement (2 pgs); 1449 Form (1 pg); canceled check no. 18531 (1 pg); PTO date-stamped postcard (1 pg).

Amendment  No Additional fee is required.  The fee has been calculated as shown:

Fee Calculation for Claims Pending After Amendment					
	Pending Claims after Amendment (1)	Claims Paid for Earlier (2)	Number of Additional Claims (1-2)	Cost per Additional Claim	Additional Fees Required
Total Claims				x \$9 =	
Independent Claims				x \$43 =	
One or More New Multiple Dependent Claims Presented? If Yes, Add \$145 Here →					
Total Additional Claim Fees Required					

Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers and please charge any additional fees or credit overpayment to Deposit Account No. 13-4895. Triplicate copies of this sheet are enclosed.

MUETING, RAASCH & GEBHARDT, P.A.

Customer Number: 26813

By: Mark J. Gebhardt

Name: Mark J. Gebhardt

Reg. No.: 35,518

Direct Dial: 612-305-1216

Faxsimile: 612-305-1228

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CERTIFICATE UNDER 37 CFR §1.10:

"Express Mail" mailing label number: EV 405459001 US

Date of Deposit: March 9, 2004

I hereby certify that the Transmittal Letter and the paper(s) and/or fee(s), as described hereinabove, are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR §1.10 on the date indicated above and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

By: Sue Dombroske  
Name: Sue Dombroske

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(SMALL ENTITY TRANSMITTAL UNDER RULE 1.10)



# COPY

Receipt is hereby acknowledged for the following in the U.S. Patent and Trademark Office:

Applicant(s): ZHAN et al.  
Serial No.: 09/691,006  
Filed: October 18, 2000  
Title: IMAGING ELLIPSOMETRY



Enclosed: Amendment and Response (18 pgs.); Petition for Extension of Time (1 pg.); check for \$55.00 for extension fee; Supplemental Information Disclosure Statement (2 pgs.); 1449 Form (1 pg.); copies of 4 documents cited on the 1449 form; check for \$180.00 for IDS fee; and transmittal document (in triplicate).

Mailed: November 7, 2003  
Docket: 110.01420101

Express Mail Label No.: EV 073687214 US  
MJG/skd